

Exhibit E

From: Ormand, Justin L.
To: jgomez@gomezllc.com
Cc: aneuman@gibsondunn.com; aweitzman@gibsondunn.com; pseley@gibsondunn.com; rgray@gibsondunn.com; RMastro@gibsondunn.com; StevenRDonziger@gmail.com; [Blume, Robert C. \(RBlume@gibsondunn.com\)](mailto:Blume, Robert C. (RBlume@gibsondunn.com)); [Brodsky, Reed \(RBrodsky@gibsondunn.com\)](mailto:Brodsky, Reed (RBrodsky@gibsondunn.com)); phamill@conradobrien.com; jvoss@conradobrien.com; thkatz@verizon.net; [Gitter, Max](#)
Subject: RE: Special Master Gitter's ruling late this afternoon
Date: Friday, June 07, 2013 10:52:00 AM

Mr. Gomez,

Further to my email of last night, please see, e.g., Garr Tr. at 136:18-139:17; McDermott Tr. at 37:11-51:18, 52:23-53:16, 73:4-74:6, 100:9-101:21, 123:14-21, for privilege objections and rulings regarding 502-covered documents.

Thank you,

Justin Ormand

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From: Ormand, Justin L.
Sent: Thursday, June 06, 2013 10:59 PM
To: jgomez@gomezllc.com
Cc: aneuman@gibsondunn.com; aweitzman@gibsondunn.com; pseley@gibsondunn.com; rgray@gibsondunn.com; RMastro@gibsondunn.com; StevenRDonziger@gmail.com; [Blume, Robert C. \(RBlume@gibsondunn.com\)](mailto:Blume, Robert C. (RBlume@gibsondunn.com)); [Brodsky, Reed \(RBrodsky@gibsondunn.com\)](mailto:Brodsky, Reed (RBrodsky@gibsondunn.com)); phamill@conradobrien.com; jvoss@conradobrien.com; thkatz@verizon.net; [Gitter, Max](#)
Subject: Special Master Gitter's ruling late this afternoon

Mr. Gomez,

Below please find the email exchange referenced by Special Master Gitter in connection with his ruling on the application you made at the end of Mr. Kohn's deposition this afternoon (consisting of the top three emails in the longish chain below). Tomorrow morning, I will send you page:line references to your privilege objections to 502-covered documents (and the rulings thereon) during the Garr and McDermott depositions.

Thank you,

Justin Ormand

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From: Gitter, Max
Sent: Monday, May 20, 2013 5:48 PM
To: jgomez@gomezllc.com; aweitzman@gibsondunn.com; Brodsky, Reed
Cc: Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com; Blume, Robert C.; Winston, Georgia; 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L
Subject: RE: Report at Noon

Dear Mr. Gomez,

We as special masters, like magistrate judges and article 3 judges, are not in the business of issuing advisory opinions, but it seems to me off the top of my head that if you have a signed and so ordered 502 stipulation no issue for a document review by me or any other judicial officer arises until the document is used and/or a question is asked about the document at a deposition or at trial.

Max Gitter, Special Master

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From: jgomez@gomezllc.com
Sent: Monday, May 20, 2013 4:55 PM
To: Gitter, Max; aweitzman@gibsondunn.com; Brodsky, Reed
Cc: Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com; Blume, Robert C.; Winston, Georgia; 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L
Subject: RE: Report at Noon

Mr. Gitter, if the parties reach a 502 stipulation is it your understanding that you do not need to conduct any further review of the documents? We have been unable to finalize our agreement because we do not know the answer to that question. Can you please advise?

Julio Gomez

From: Gitter, Max [<mailto:mgitter@cgsh.com>]
Sent: Monday, May 20, 2013 4:54 PM
To: aweitzman@gibsondunn.com; Julio Gomez
Cc: Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com; Blume, Robert C.; Winston, Georgia; 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L
Subject: RE: Report at Noon

Thank you, Mr. Weitzman. Where do we stand on the Kohn/Garr stipulation—I am bound by court order to deal with the documents relating to it as of close of business today, unless a stipulation is

signed. I take court orders seriously.

Max Gitter | Senior Counsel

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From: aweitzman@gibsondunn.com

Sent: Monday, May 20, 2013 4:17 PM

To: Gitter, Max; jgomez@gomezllc.com

Cc: Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com; Blume, Robert C.; Winston, Georgia; 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L

Subject: RE: Report at Noon

Dear Special Masters:

On behalf of Chevron Corporation, we provide Your Honors a brief update regarding the parties' scheduling efforts. Since our conference call, we have been able to confirm that Mr. Dunkelberger is presently available for deposition on May 30 (subject to final confirmation tomorrow), and Mr. Ricardo Reis-Vega is presently available for deposition in San Francisco on June 1. Although we are continuing our efforts to meet and confer regarding depositions, the defendants have not agreed to stipulate to the admissibility of records from Mr. Silver, and we thus anticipate taking Mr. Silver's deposition for less than a half day on May 23.

We will soon be presenting to defense counsel a proposed stipulation for their consideration, which we hope to have ready for Your Honors' review this evening.

Respectfully,
Avi Weitzman

Avi Weitzman
Of Counsel

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From: Gitter, Max [<mailto:mgitter@cgsh.com>]

Sent: Monday, May 20, 2013 11:10 AM

To: Chevron Service - Camacho/Piaguaje:Gomez, J.; Weitzman, Avi

Cc: Steven Donziger; Mastro, Randy M.; Neuman, Andrea E.; Blume, Robert C.; Winston, Georgia; 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L

Subject: Report at Noon

Unless the parties at noon will be reporting an agreed schedule, a court reporter shall be ordered

(by Chevron) to transcribe a conference call with all counsel at 12:05. The dial in information will be the same as that for last night's call. If anyone has lost it, it can be found in the Order we issued on Friday.

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From: jgomez@gomezllc.com
Sent: Monday, May 20, 2013 10:14 AM
To: aweitzman@gibsondunn.com
Cc: Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com; Blume, Robert C.; Winston, Georgia; Gitter, Max; 'Ted Katz' (thkatz@verizon.net); Ormand, Justin L
Subject: RE: Depositions this week

Steven and I just completed a meet and confer with Gibson. We are scheduled to resume another in 20 minutes. I am concerned that Gibson (see below) is rescheduling third party depositions unilaterally such that if our LAP experts are not ordered to be produced, there is a risk that other deponents have been informed they are off the hook.

We will continue our meet and confers but in our view no party should be rescheduling anyone who is on the current calendar yet.

We will have a report by noon as required.

Regards,
Julio Gomez

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From: Weitzman, Avi [<mailto:AWeitzman@gibsondunn.com>]
Sent: Monday, May 20, 2013 9:32 AM
To: Julio Gomez
Cc: Steven Donziger; Mastro, Randy M.; Neuman, Andrea E.; Blume, Robert C.; Winston, Georgia
Subject: RE: Depositions this week

Mr. Gomez:

We informed you on Friday when this issue was raised for the first time that we would not be withdrawing these notices and would be proceeding with these depositions this week and have rescheduled third party depositions accordingly. These depositions have been on calendar since March 24, and you and predecessor counsel have had ample time to prepare these expert witnesses. We offered to meet and confer on this issue throughout the weekend, which you declined including failing to do the call last night that *you* proposed during the call with the Special Masters yesterday. You instead repeatedly raise issues with the Special Masters that you have declined to meet and confer on. The LAPs did not notice any of the below fact depositions and we have already confirmed new dates for Garr and Kohn with those third parties and have made a proposal that would make a Silver deposition unnecessary. We are likewise working to resolve the privilege objections raised during the initial Woods deposition, but need to meet and confer with you to do so. We thus object to not going forward with the LAP expert depositions as noticed at a location requested by the LAPs for their experts' convenience (not Smyser Kaplan's) and request that the Special Masters order that they proceed as noticed.

We would like to meet and confer this morning about the global deposition schedule, as the Special Masters have ordered. We can use my dial in conference line now if you are available:

Dial-in: 877-492-4011;

Passcode 212-351-2465

-Avi

Avi Weitzman
Of Counsel

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From: Gitter, Max [<mailto:mgitter@cgsh.com>]
Sent: Monday, May 20, 2013 9:06 AM

To: Chevron Service - Camacho/Piaguaje:Gomez, J.; Weitzman, Avi; Steven Donziger; Mastro, Randy M.; Neuman, Andrea E.
Cc: 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L
Subject: RE: Depositions this week

Mr. Gomez, I see serious problems with the alternatives you suggest: e.g you say you are available to do Garr this week, but you heard last night that she had to be moved out of this week because of a death in the family. You say you are prepared to do dunkelberger and Woods, but they are both scheduled for Friday at the moment. Etc, etc.

More important, this kind of thing cannot be handled by email exchanges. This requires a conversation with back and forth and give and take. You and all counsel are directed to set up a time for a meeting (an in person meeting is far preferable) or conf call among all counsel for a mutually convenient (but adequately long) time This Morning. If by 2 pm you have not reached agreement on the schedule – after also checking with the third party witnesses – then we will take it to the next step, which will be that the Special Masters will join the conversation among you or, if necessary, the Special Masters will fix such dates as the parties cannot.

We expect a report by email by 2 pm, and we hope it will be an agreed schedule.

Max Gitter, for

Theodore Katz and Max Gitter, Special Masters

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From: jgomez@gomezluc.com
Sent: Monday, May 20, 2013 8:47 AM
To: Gitter, Max; aweitzman@gibsondunn.com; Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com
Cc: 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L
Subject: RE: Depositions this week

Mr. Gitter, I appreciate your suggestion but due to the experts' limited availability their travel was scheduled consecutively. Each expert was to arrive the day before their deposition with folks at Smyser prepping and defending at the same time. I cannot get all of the experts to arrive in Houston by Tuesday to prep them all at once in one day as you suggest. And it would be a rush job to try to prep each one individually at night after each deposition ends when everyone is exhausted. Having three experts testify back to back makes sense when other attorneys are working on a case, not when I as a solo have to do all the work. They require translation and as explained yesterday, Chevron intends to depose them each for a full 7 hour day. Also, the only reason the experts were scheduled for Houston is because the Smyser firm is located there. It will be less expensive for Chevron and my clients to move these depositions to NY.

We had other deponents on the calendar for this week who can remain on the calendar that do not present this problem. I am not trying to be obstructionist. I have never met these experts or worked

with them. I need a reasonable amount of time to prep each of them.

Thank you.

Regards,
Julio Gomez

From: Gitter, Max [<mailto:mgitter@cgsh.com>]
Sent: Monday, May 20, 2013 8:34 AM
To: Julio Gomez; aweitzman@gibsondunn.com; Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com
Cc: 'Ted Katz (thkatz@verizon.net)'; Ormand, Justin L
Subject: RE: Depositions this week

Mr. Gomez, what if McDermott were put off till next week or the week after; that would give you time to get to Houston today/tonight to start preparing them and have all day tomorrow to finish, and their depositions would go Wed, Thurs, and Friday. When was the Smyser firm planning to prepare them. Surely on some schedule like this.

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From: jgomez@gomezllc.com
Sent: Monday, May 20, 2013 8:24 AM
To: aweitzman@gibsondunn.com; Steven Donziger; RMastro@gibsondunn.com; aneuman@gibsondunn.com
Cc: 'Ted Katz (thkatz@verizon.net)'; Gitter, Max; Ormand, Justin L
Subject: RE: Depositions this week

Good morning counsel,

I cannot get the LAP experts to NY in time to prep them for their depositions and I cannot get myself to Houston in time to prep them there either. Smyser was going to handle this exclusively while I handled the depositions that were going to be scheduled in NY and DC this week. I hereby ask that your client withdraw its request for their depositions for this week; they are available to come to NY the first and second week of June. That would give me some time to prep them in advance. They are also experts and we should prioritize fact depositions right now, as well as deponents who are represented by other counsel.

If you do not withdraw your demand to depose them this week, then by copy of this e-mail (for expediency's sake) I request that the Special Masters rule whether the LAP experts must be deposed this week. The sooner we have an answer to that question, the sooner we can fix the schedule for the week.

I am prepared to depose Kohn, McDermott, Garr, Woods, Silver, this week and Dunkelberger in DC on Friday (I was prepared to travel to DC for that deposition and can still do so); I can likely depose others this week that I would have to defend on behalf of my clients; however, I cannot prep my client's experts and Chevron should not be permitted to depose our experts unless I have had an opportunity to prep them.

Please advise your position with copy to the Special Masters so they can rule as soon as possible if you object.

Thank you.

Regards,
Julio Gomez

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